



January 29, 2016

SENATE BILL No. 216

DIGEST OF SB 216 (Updated January 27, 2016 12:43 pm - DI 106)

Citations Affected: IC 9-21.

Synopsis: Traffic enforcement in apartment complexes. Allows a unit to enforce traffic and parking ordinances on the property of a residential apartment complex if: (1) the owner of the complex enters into an enforcement agreement with the unit; and (2) the fiscal body of the unit approves the agreement.

Effective: July 1, 2016.

Hershman

January 7, 2016, read first time and referred to Committee on Judiciary.
January 28, 2016, amended, reported favorably — Do Pass.

SB 216—LS 6705/DI 123



January 29, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 216

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-18-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. This chapter applies
3 to privately owned real property on which the public is invited to travel
4 for business **or residential** purposes.

5 SECTION 2. IC 9-21-18-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. As used in this
7 chapter, "private business property", "**residential apartment**
8 **complex**", or "shopping center" may be defined by ordinance of the
9 unit entering into a contract under this chapter.

10 SECTION 3. IC 9-21-18-4 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. **(a)** A unit and the
12 owner or lessee of a shopping center or private business property
13 located within the unit may contract to empower the unit to regulate by
14 ordinance the parking of vehicles and the traffic at the shopping center
15 or private business property, subject to approval by the fiscal body of
16 the unit by ordinance.

17 **(b) A unit may enforce parking and traffic ordinances on the**

SB 216—LS 6705/DI 123



1 **property of a residential apartment complex if:**

2 **(1) the owner of the residential apartment complex enters into**
3 **an enforcement agreement with the unit; and**

4 **(2) the fiscal body of the unit approves the enforcement**
5 **agreement.**

6 SECTION 4. IC 9-21-18-6 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. A contract entered
8 into between a unit and a **residential apartment complex**, shopping
9 center, or private business property owner under this chapter may not
10 exceed twenty (20) years. A lessee of a shopping center or private
11 business property may not enter into a contract under this chapter for
12 a longer period of time than the length of the lease.

13 SECTION 5. IC 9-21-18-7 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. A contract entered
15 into between a unit and a **residential apartment complex**, shopping
16 center, or private business property owner or lessee under this chapter
17 shall be recorded with the county recorder in the county in which the
18 unit is located. No regulation made under the contract may take effect
19 until three (3) days after the contract is recorded. Signs shall be posted
20 within the **residential apartment complex**, shopping center, or private
21 business property not later than three (3) days after the contract is
22 recorded stating that **residential apartment complex**, shopping center,
23 or private business property parking and traffic regulations are
24 enforceable by local law enforcement officials.

25 SECTION 6. IC 9-21-18-8 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8. The unit may adopt
27 an ordinance providing for punishment of violations of the parking and
28 traffic regulations in effect at a **residential apartment complex**,
29 shopping center, or private business property under the contract.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 216, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 10 through 17, begin a new paragraph and insert:

"SECTION 3. IC 9-21-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. **(a)** A unit and the owner or lessee of a shopping center or private business property located within the unit may contract to empower the unit to regulate by ordinance the parking of vehicles and the traffic at the shopping center or private business property, subject to approval by the fiscal body of the unit by ordinance.

(b) A unit may enforce parking and traffic ordinances on the property of a residential apartment complex if:

(1) the owner of the residential apartment complex enters into an enforcement agreement with the unit; and

(2) the fiscal body of the unit approves the enforcement agreement."

Delete page 2.

Page 3, delete lines 1 through 6.

Page 3, line 11, delete "residential apartment".

Page 3, line 12, delete "complex,".

Page 3, line 12, after "center" delete ",".

Page 3, delete lines 32 through 42.

Delete page 4.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 216 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 7, Nays 1.

